

Practitioner's Docket No. 02-11429

PATENT

COMBINED DECLARATION AND POWER OF ATTORNEY

**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION, OR C-I-P)**

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for a continuation-in-part utility application.

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, second and joint inventor of the subject matter that is claimed, together with Ted J. Brackett, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

PAINT BRUSH AND MAKEUP BRUSH CLEANING DEVICE, the specification of which was filed with the U.S. Patent Office on December 9, 2003.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56.

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATIONS(S)
UNDER 35 U.S.C. SECTION 120**

I hereby claim the benefit, under Title 35, United States Code, Section 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information that occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE
U.S. FOR BENEFIT UNDER 35 U.S.C. SECTION 120:**

| U.S. APPLICATIONS | | STATUS | | |
|----------------------|---------------------|----------|---------|--------------------------------|
| U.S. APPLICATIONS | U.S. FILING DATE | Patented | Pending | Abandoned |
| 60/245,078 | 11/01/00 | | | X (Provisional Application) |
| 6,666,925 B2 | 11/01/2001 | X | | |

POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

| APPOINTED PRACTITIONER(S) | REGISTRATION NUMBER(S) |
|---------------------------|------------------------|
| Donald M. Cislo, Esq. | 22,060 |
| Charles H. Thomas, Esq. | 25,710 |
| Daniel M. Cislo, Esq. | 32,973 |
| Andrew S. Jordan, Esq. | 33,917 |
| Kelly W. Cunningham, Esq. | 43,570 |
| David B. Sandelands, Esq. | 46,023 |
| Sarah A. Brown, Esq. | 47,455 |
| Mark D. Nielsen, Esq. | 52,068 |
| Sean D. O'Brien, Esq. | 52,080 |
| Peter S. Veregge, Esq. | 55,698 |

I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

**AUTHORIZATION OF ATTORNEY(S) TO ACCEPT AND
FOLLOW INSTRUCTIONS FROM REPRESENTATIVE**

The undersigned to this declaration and power of practitioner hereby authorizes the U.S. practitioner(s) named herein to accept and follow instructions from:

Daniel M. Cislo
Cislo & Thomas LLP
233 Wilshire Boulevard, Suite 900
Santa Monica, California 90401-1211

as to any actions to be taken in the Patent and Trademark Office regarding this application without direct

communication between the U.S. practitioner(s) and the undersigned. In the event of a change in the person(s) from whom instructions may be taken, the U.S. practitioner(s) will be so notified by the undersigned.

SEND CORRESPONDENCE AND DIRECT TELEPHONE CALLS TO:

Daniel M. Cislo
CISLO & THOMAS LLP
233 Wilshire Boulevard, Suite 900
Santa Monica, California 90401-1211
USA
Telephone: (310) 451-0647
Telefax: (310) 394-4477
Email: dancislo@cislo.com

Customer Number 25,189

DECLARATION

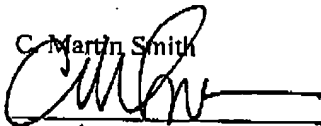
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Inventor Name:

C. Martin Smith

Inventor's Signature



Date

12/13/05

Mailing Address

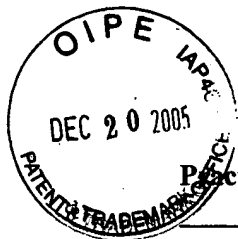
10978 Ayres Avenue, Los Angeles, California, 90064

Country of Citizenship USA

Residence Los Angeles, California

Z:\TMD\CS\02-11429\REVISED DECLARATION AND POWER OF ATTORNEY FOR C MARTIN SMITH.DOC

(Declaration and Power of Attorney—page 3 of 3)



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Customer Number 25,189

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SIGNATURE(S)

Inventor Name: Ted Brackett

Inventor's Signature

T. Brackett

Date

12/9/05

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Residence Manhattan Beach, California

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